

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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LB 628

these groups through Alan Peterson and came to the Government Committee with an amendment earlier this year, and the Government Committee knew that there were still probably a few questions out there about the amendment, but, by and large, we were reaching consensus on it. So in order to put the bill out on the floor, we went ahead and adopted an amendment. We really thought the main part of the opposition had gone away. What we did is we clarified in our amendment, and I need to explain this I think because then the subsequent amendment can be explained in terms of how that changes this amendment. The committee amendment further clarifies the bill that copies may also be obtained free of charge by any citizen or other interested person by using his or her own copying equipment. Copies obtained at actual cost from a record custodian must not violate federal copyright law. Furthermore, the committee amendment permits the reproduction of electronically maintained records in any physical format in which the records can be reproduced. The fifteen cent maximum per page fee for both photocopies and electronic data is eliminated. Also, the actual cost of the reproduction of electronic data is broadened to include the cost of analysis and programming. Costs for gateway service by a state agency are also permitted. No governmental entity must acquire additional equipment and they must...they must not have to acquire additional equipment or employees to generate any record in a form in which it is not already maintained. Finally, when a request for a copy of a public record cannot reasonably be fulfilled within three days due to exceptional difficulty, the custodian shall within three days provide a written explanation to the requester including the earliest practicable date for furnishing the copies, an estimate of the cost, and an opportunity to modify the request. That is the essence of the committee amendment and I shall be happy to try to answer any questions.

PRESIDENT MAURSTAD: Thank you, Senator Schimek. Mr. Clerk.

CLERK: Mr. President, the first amendment to the committee amendment is by Senator Brashear and Senator Bruning, AM2492. (Legislative Journal page 757.)

PRESIDENT MAURSTAD: Senator Brashear, recognized to open on your amendment to the committee amendment to LB 628.